

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHEASTERN DIVISION

LeRoy K Wheeler,)
)
)
Plaintiff,) Case No. 2:12-cv-45
)
)
vs.)
)
Rena M. DeSautel, Diane J. Manthei, and)
Mark J. McCarthy,)
)
)
Defendants.

**ORDER ADOPTING
REPORT AND RECOMMENDATION**

The Court has received a Report and Recommendation from the Honorable Karen K. Klein, United States Magistrate Judge, recommending that LeRoy Wheeler's motion to proceed *in forma pauperis* be denied (Doc. #25). Wheeler objects on the grounds that his conviction was obtained illegally and that he is being denied the opportunity to be heard.

The Court has reviewed the Report and Recommendation, along with the entire record in this matter, and finds that the Magistrate Judge's position is correct. The Court adopts the Report and Recommendation in its entirety and **ORDERS** that Wheeler's motion is **DENIED**.

IT IS SO ORDERED.

Dated this 25th day of January, 2013.

/s/ Ralph R. Erickson
Ralph R. Erickson, District Judge
United States District Court